

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

NATIONAL CENTER FOR PUBLIC
POLICY RESEARCH,

Plaintiff,

v.

SHIRLEY N. WEBER, in her official
capacity as Secretary of State of the State of
California,

Defendant.

No. 2:21-cv-02168-JAM-AC

**[PROPOSED] ORDER OF
DISMISSAL AND ENTRY OF
FINAL JUDGMENT**

Plaintiff National Center for Public Policy Research has filed a request for voluntary dismissal with prejudice of its challenge to California Assembly Bill 979 and an entry of judgment against its claim challenging California Senate Bill 826. Having considered Plaintiff's request, IT IS THEREFORE ORDERED, ADJUDGED, and DECREED that:

- 1) Plaintiff's claims against AB 979 are dismissed with prejudice.
- 2) Plaintiff fails to state a claim against SB 826 under Fed. Rule Civ. P. 12(b)(6) because a facial challenge cannot be brought against SB 826 for the reasons expressed when granting Defendant's motion to dismiss at the hearing held on April 19, 2022.
- 3) Judgment is entered in favor of the Defendant.
- 4) The parties shall bear their own costs.
- 5) This judgment is final pursuant to Federal Rule of Civil Procedure Rule 58(b).

IT IS SO ORDERED

DATED: May ____, 2022.

THE HONORABLE JOHN A. MENDEZ

[Proposed] Order of Dismissal and Final Judgment